

U.S.C. §103 for obviousness over Bailey and Tanaka and further in view of Toshiyuki (5,093,924).

Claim 36 was added, based on the original disclosure, without addition of new matter.

The rejections of claims under 35 U.S.C. §103 for obviousness in view of the cited prior art are respectfully traversed and reconsideration of the rejections is earnestly solicited.

Regarding the rejection of claims 26-32, please note that the mobile station of the claimed invention is equipped with control means for selecting a base station to which a request for a message channel is to be issued. Selection is based on an order of priority of a plurality of base stations. The order of priority is included in announcement information from said plurality of base stations.

In contrast, Bailey teaches that a network control device or a base station is equipped with means for referring to a statistical database of the handover traffic, and the statistical database is taken into account

at the time of responding to a request for channel reservation. Tanaka does not have control means in the mobile station as described above.

In other words, the order of priority of base stations is utilized by a mobile station in the claimed invention, whereas Bailey teaches that a network control device or the base station utilizes a statistical database. The claimed invention provides the following unique advantages that cannot be obtained by the prior art.

According to Bailey, a request for channel reservation is issued by the mobile station without any consideration of the statistical database. That is, the request itself for channel reservation cannot be controlled by taking into account the statistical database. In other words, the traffic of requests for channel reservation cannot be controlled by the mobile station. In some cases, the request traffic may increase. In contrast, the present mobile station is equipped with the control means, so that the traffic request for a message channel can be controlled.

Regarding the rejection of claim 33, Bailey teaches that the network control device or the base station (not a mobile station) is equipped with means for referring to the statistical database of handover traffic. However, Bailey fails to teach or suggest that a mobile station receives the order of priority of base stations from any station. This also holds true for Tanaka. In addition, neither Bailey nor Tanaka teaches or suggests that the mobile station selects on the basis of priority order, a base station to which a request for a message channel is issued.

Thus, there is no motivation to combine the teachings of Bailey and Tanaka with each other, and the claimed invention will not be produced even if the teachings are combined.

For these reasons, it is respectfully submitted that the rejections under 35 U.S.C. §103 for obviousness in view of the cited prior art are inappropriate in this case.


An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendment and remarks, it is believed that claims 26, 33 and 36 are in condition for allowance as well as all claims

dependent therefrom (and those claims 1-25 allowed previously). Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this Application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not fully covered by enclosed check, may be charged to Deposit Account 08-1634.

Respectfully submitted,


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